

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MIDAS FUND, INC.

Plaintiff,

- against -

GAMMON GOLD, INC., FRED GEORGE, BRADLEY
LANGILLE, RUSSEL BARWICK, COLIN
SUTHERLAND, BMO NESBITT BURNS INC.,
SCOTIA CAPITAL INC., and TD SECURITIES INC.

Defendants.

Index No. 7 CV 6707 (NRB)

AFFIDAVIT OF SERVICE
UPON TD SECURITIES INC.
now known as TD ASSET
MANAGEMENT, INC./GESTION
DE PLACEMENTS TD INC.

I, Elliot Alay, Process Server and Agent for the Bouchard Group of Companies, located at 220 Hunt Club Road, Unit 4, Ottawa, Ontario K1V 1C1, Canada, do hereby make oath and do solemnly swear:

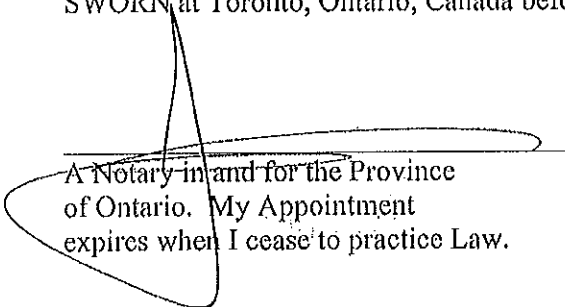
1. That I am over the age of 21 and a non-party to this action and am authorized to serve process in Canada;
2. That on or about October 27, 2007, I was instructed by my manager, Ginette Bouchard, in turn instructed by Legal Language Services, an international litigation support firm located in Leawood, Kansas, in turn instructed by plaintiff's attorneys Guzov Ofsink LLC to serve upon defendant TD Securities Inc. *now known as* TD Asset Management Inc./Gestion de Placements TD Inc. the following documents filed in the present action:
 - Hague Service Convention "Notice"
 - Hague Service Convention "Summary of the Document to be Served" with Attachment "A"
 - Amended Summons in a Civil Action
 - Second Amended Complaint
 - Rule 7.1 Statement
 - Individual Practices of Naomi Reice Buchwald
 - 3rd Amended Instructions for Filing an Electronic Case or Appeal
 - Procedures for Electronic Case Filing
 - Guidelines for Electronic Case Filing

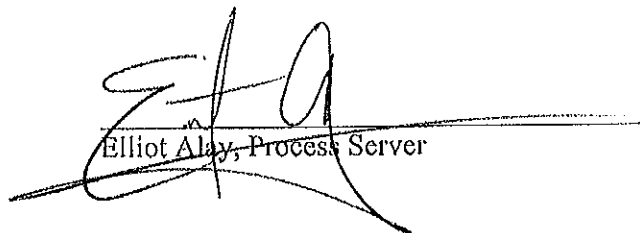
3. That according to research performed by the Bouchard Group of Companies, TD Securities, Inc. first incorporated on June 5, 1987 and changed its name four times between June 5, 1987 and January 20, 1988; that its first name change, to TD Securities Inc. Les Valeurs Mobilières TD Inc., occurred on June 10, 1987; that its second name change, to Toronto Dominion Securities Inc. Les Valeurs Mobilières Toronto Dominion Inc., occurred on September 30, 1987; that its third name change, to TD Securities Inc. Les Valeurs Mobilières TD Inc., occurred on November 16, 1987; and that its fourth name change, to Toronto Dominion Securities Inc. Les Valeurs Mobilières Toronto Dominion Inc., occurred on January 20, 1988 (*See* Toronto Dominion Securities Inc. Les Valeurs Mobilières Toronto Dominion Inc. Ontario Corporation Profile Report, pages 1 – 2, attached hereto as Exhibit A);
4. That according to its Corporation Profile Report, attached hereto as Exhibit A, Toronto Dominion Securities Inc. Les Valeurs Mobilières Toronto Dominion Inc. has been assigned Ontario Corporation Number 721563; that on February 1, 2000, Toronto Dominion Securities Inc. Les Valeurs Mobilières Toronto Dominion Inc., #721563 was amalgamated into TD Asset Management Inc./Gestion de Placements TD Inc. and was assigned Ontario Corporation Number 1158676 (*See* TD Asset Management Inc./Gestion de Placements TD Inc.'s Amalgamation Tree, attached hereto as Exhibit B);
5. That on October 1, 2000, TD Asset Management Inc./Gestion de Placements TD Inc., #1158676 amalgamated with two other companies, Harbour Capital Management Inc. and Greydanus, Boeckh & Associates to form TD Asset Management Inc./Gestion de Placements TD Inc., and was assigned Ontario Corporation Number 1398925 (*See* Amalgamation Tree, attached hereto as Exhibit B); that on October 1, 2000, TD Asset Management Inc./Gestion de Placements TD Inc., #1398925 further amalgamated with another set of companies to form TD Asset Management Inc./Gestion de Placements TD Inc., ("TD Asset Management") and was assigned Ontario Corporation Number 1442145 (*See* Amalgamation Tree, attached hereto as Exhibit B);

6. That TD Asset Management's registered address is 161 Bay Street, 35th Floor, CT Tower, Toronto, Ontario, Canada M5J 2T2 (See TD Asset Management's Ontario Corporation Profile Report, attached hereto as Exhibit C);
7. That on October 31, 2007 at approximately 1:27 P.M., I did travel to 161 Bay Street, 35th Floor, CT Tower, in Toronto where I met with a gentleman who identified himself as Collin Taylor, Assistant Vice President of Litigation for TD Asset Management;
8. That Mr. Taylor confirmed to me he was authorized to accept service of process on behalf of TD Asset Management and I handed him the above-reference documents and said, "You are served with legal process on behalf of "TD Securities Inc. now known as TD Asset Management Inc."; that Mr. Taylor accepted the documents and I left the area;
9. That Mr. Taylor is a Caucasian male, approximately 55 years old, 5'10", 160 pounds, with dark graying hair and brown eyes;
10. That I believe service to have been effected upon defendant TD Securities Inc. now known as TD Asset Management Inc. in accordance with a method prescribed by the internal laws of Ontario, Canada for civil matters within the jurisdiction and thus in accordance with Article 10(b) of the *Hague Convention of 15 November 1965 on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters* and in compliance with the laws of the United States.

I declare under penalty of perjury under the laws of the United States that the foregoing statements are true and accurate to the best of my knowledge and belief.

SWORN at Toronto, Ontario, Canada before me on this day 12 of November 2007.


A Notary in and for the Province
of Ontario. My Appointment
expires when I cease to practice Law.


Elliot Alay, Process Server